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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
AT YAKIMA**

## STATE OF WASHINGTON,

Nos. 1:19-cv-3040-SAB; 1:19-cv-3045-SAB

Plaintiff.

## NOTICE OF APPEAL

v.

ALEX M. AZAR II, in his official capacity as Secretary of the United States Department of Health and Human Services; and UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES

## PRELIMINARY INJUNCTION APPEAL

## Defendants

NATIONAL FAMILY PLANNING &  
REPRODUCTIVE HEALTH  
ASSOCIATION, FEMINIST  
WOMEN'S HEALTH CENTER,  
DEBORAH OYER, M.D., and  
TERESA GALL, F.N.P.,

## Plaintiffs,

ALEX M. AZAR II, in his official capacity as United States Secretary of Health and Human Services, UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIANE FOLEY, M.D., in her official capacity as Deputy Assistant Secretary for Population Affairs, and OFFICE OF POPULATION AFFAIRS.

## Defendants.

PLEASE TAKE NOTICE that Defendants hereby appeal to the United States Court of Appeals for the Ninth Circuit from the Court's April 25, 2019 Order granting Plaintiffs' motions for preliminary injunction in these consolidated cases. ECF No. 54.

Dated: May 3, 2019

Respectfully submitted,

1 JOSEPH H. HUNT  
2 Assistant Attorney General

3 JOSEPH H. HARRINGTON  
4 United States Attorney

5 MICHELLE R. BENNETT  
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7 /s/ Bradley P. Humphreys  
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## **DECLARATION OF SERVICE**

I hereby declare that on this day I caused the foregoing document to be electronically filed with the Clerk of the Court using the Court's CM/ECF System which will send notification of such filing to the attorneys for all parties.

DATED this 3rd day of May, 2019, at Washington, D.C.

/s/ Bradley P. Humphreys  
BRADLEY P. HUMPHREYS  
D.C. Bar No. 988057